

1 AN ACT relating to the safety of health care workers.

2 WHEREAS, health care workers provide services in a wide range of health care  
3 settings; and

4 WHEREAS, health care workers are up to 12 times more likely to experience  
5 workplace violence than other professions; and

6 WHEREAS, ten other states have required health care facilities to create and  
7 implement workplace violence prevention programs and to establish a mechanism for  
8 reporting and recording incidents of workplace violence and threats of workplace  
9 violence, regardless of whether the health care worker is injured or not;

10 NOW, THEREFORE,

11 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

12 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 338 IS CREATED TO  
13 READ AS FOLLOWS:

14 *(1) As used in this section:*

15 *(a) "Health care facility" means any hospital or other health care facility,*  
16 *whether operated for profit or not, required to be licensed pursuant to KRS*  
17 *Chapter 216B;*

18 *(b) "Health care worker" means an individual employed by a health care*  
19 *facility;*

20 *(c) "Workplace safety" means the prevention of any workplace violence*  
21 *against a health care worker at a health care facility; and*

22 *(d) "Workplace violence" means any act or violence or threat of violence,*  
23 *without regard for intent, and except for a lawful act of self-defense or*  
24 *lawful acts of defense of others, that occurs at a health care facility,*  
25 *regardless of whether a health care worker is physically or psychologically*  
26 *injured.*

27 *(2) A health care facility shall annually perform an assessment to identify issues that*

- 1       may constitute a threat to workplace safety or may lead to workplace violence.  
2       The assessment shall include a review of policies and protocols related to  
3       preventing and responding to incidents of workplace violence, health care facility  
4       vulnerabilities, and training deficiencies. Following the assessment, a  
5       standardized safety report shall be generated by the health care facility and made  
6       available to any health care worker employed by the health care facility.
- 7       (3) Health care facilities shall provide education specific to workplace safety and  
8       workplace violence prevention and response to health care workers within ninety  
9       (90) days of hire or within ninety (90) days of the effective date of this Act for all  
10       existing employees.
- 11       (4) A health care facility shall have a standard process to report and record threats of  
12       and actual incidents of workplace violence.
- 13       (5) A health care worker shall not be discriminated or retaliated against for reporting  
14       workplace safety incidents, threats, or concerns.
- 15       (6) The secretary shall promulgate administrative regulations necessary to enforce  
16       of this section.